

Attorney's Docket No.: 24741-1509US (J7164-008US1)

OFFICIAL COMMUNICATION**FACSIMILE****FOR THE PERSONAL ATTENTION OF:****EXAMINER J. A. GOLDBERG****U.S. PATENT AND TRADEMARK OFFICE (PATENT)****COMMISSIONER FOR PATENTS****WASHINGTON, DC 20231****GROUP 1634 FAX NO: 571-273-0743**

Number of pages including this page 14

Applicant : Michael W. Dahm, et al.

Art Unit : 1634

Serial No. : 09/601,645

Examiner : Goldberg J. A.

Conf. No. : 7793

Filed : August 4, 2000

FACSIMILE COMMUNICATION

Title : METHOD FOR QUANTITATIVE DETERMINATION OF TUMOR CELLS IN
A BODY FLUID AND TEST KITS SUITED THEREFORCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached to this facsimile communication cover sheet is a copy of a Supplemental Information Disclosure Statement that was not initialed, mailed April 2, 2002 with a return postcard date-stamped April 8, 2002 and cited reference, faxed this 6th day of May, 2004, to Group 1634, at the United States Patent and Trademark Office.

Respectfully submitted,

Date: May 6, 2004

Inger D. Kidd

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Fax: (202) 626-7796

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (858) 678-5070 to arrange for its return. Thank you.

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CLIENT #: 24741-1509US SLS:IDK:kmf
ENCLOSURES: TRANSMITTAL LETTER (in duplicate); SUPPLEMENTAL
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37 C.F.R.1.97-1.98 (2 pages); FORM PTO-1449 (1 page); CITED
REFERENCE; CHECK IN THE AMOUNT OF \$180.00; and RETURN
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APPLICANT: DAHM et al.
SERIAL NO: 09/601,645
FOR: METHOD FOR THE QUANTITATIVE DETERMINATION OF TUMOR
CELLS IN A BODY FLUID AND TEST KITS SUITABLE THEREOF

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Ruthie Gordon
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DAHM et al.

Serial No.: 09/601,645
Conf. No.: 7793National Stage of: PCT/EP99/00716
International Filing Date: February 3, 1999Commencement of National Stage:
August 8, 2000For: **METHOD FOR THE QUANTITATIVE DETERMINATION OF TUMOR CELLS IN A BODY FLUID AND TEST KITS SUITABLE THEREOF**

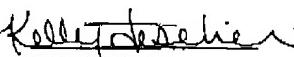
Art Unit: 1655

Examiner: Zitomer, S.

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

US Patent and Trademark Office
PO Box 2327
Arlington, VA 22202, on this date.04/02/02

Date


Kelly M. Fischer

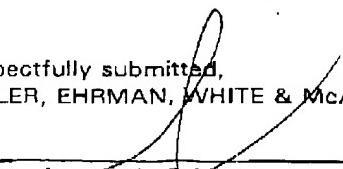
TRANSMITTAL LETTER

US Patent and Trademark Office
PO Box 2327
Arlington, VA 22202

Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, cited reference and PTO-Form 1449 (1 page) for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed after receipt of a First Office Action on the merits for the above-captioned application but before either a Final Office Action or Notice of Allowance in the above-referenced application, a fee for filing this statement is included herewith. However, should said fee be either missing or incorrect, the Commissioner is authorized to charge deposit account No. 50-1213, for the appropriate fee as stated below:

- The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLPBy: Stephanie Seidman
Registration No. 33,779

Attorney Docket No. 24741-1509US

Address all correspondences to:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

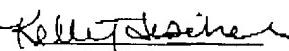
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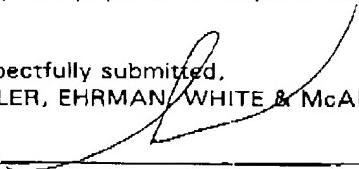
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Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:


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Attorney Docket No. 24741-1509US

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Applicant: DAHM *et al.*Serial No.: 09/601,645
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Arlington, VA 22202, on this date.04/02/02
DateKelly M. Fischer
Kelly M. Fischer

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98

US Patent and Trademark Office
PO Box 2327
Arlington, VA 22202

Dear Sir:

Since this Supplemental Information Disclosure Statement is filed after receipt of a first Office Action on the merits for the above-captioned application, the filing fee of \$180.00 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-

**U.S.S.N. 09/601,645
DAHM, *et al.*
SUPPLEMENTAL IDS**

1.98. Form PTO-1449 (1 page) and a copy of the cited document are provided herewith.

The document listed on the Form PTO-1449 is product literature for OncoQuick® by HEXAL Gentech. OncoQuick® was first offered for sale November 2000 at the Medica Fair in Düsseldorf, Germany. This product was subsequently offered for sale in the United States in January 2001. This document is supplied herewith in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

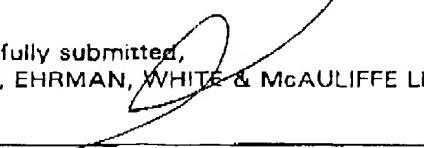
Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,

HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:


Stephanie L. Seidman
Registration No. 33,779

Attorney Docket No. 24741-1509US
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Sheet 1 of 1

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 24741-1509US	SERIAL NO. 09/601,645
	APPLICANT DAHM, <i>et al.</i>	
	FILING DATE August 4, 2000	GROUP 1655

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	Translation

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Title: METHOD FOR THE QUANTITATIVE DETERMINATION OF TUMOR CELLS IN A BODY FLUID AND TEST KITS SUITABLE THEREOF

Mail date: April 2, 2007

PAGE 8/14 * RCVD AT 5/6/2004 6:42:01 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-3/24 * DNI:2730743 * CSID:1 858 678 5099 * DURATION (mm:ss):05-14